

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JOHNNY FORTSON,)	CASE NO. 1:11 CV 147
)	
Petitioner,)	
)	
v.)	JUDGE DONALD C. NUGENT
)	
DONALD MORGAN,)	
)	
Respondent.)	<u>MEMORANDUM OPINION</u>
)	<u>AND ORDER</u>

The Petitioner, Mr. Fortson, has filed a motion to Alter and Amend Judgment, (ECF #21), seeking to change the judgment entered by the Court on May 21, 2012, (ECF #20), which adopted the Report and Recommendation of Magistrate Judge White (ECF #15), and dismissed his Petition for Writ of Habeus Corpus. Mr. Fortson seeks relief pursuant to Fed.R.Civ.P. 50 and 59. Having reviewed the motion, as well as the prior proceedings and orders, the Court has determined that Petitioner's motion raises no new facts or arguments, not previously considered and addressed by the Court. Further, nothing in the Petitioner's motion undermines the reasoning or conclusions set forth in the Magistrate's Report and Recommendation, as adopted by this Court. The Judgment Order shall, therefore, stand in full effect. (ECF #20).

Following a full review of the Petitioner's claims and objections, for the reasons set forth above, this Court denies Mr. Fortson's Motion to Alter and Amend Judgment. The Court's Judgment Order issued on May 21, 2012 adopting Magistrate Judge White's Report and Recommendation, and dismissing Petitioner's request for a Writ of Habeus Corpus remains in full effect. IT IS SO ORDERED.

/s/ Donald C. Nugent
DONALD C. NUGENT
United States District Judge

DATED: June 25, 2012